

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>v.</b>	)	<b>7:19-CR-00094-03</b>
	)	
<b>MARIUS CATALUI</b>	)	

**MOTION FOR CONTINUANCE**

COMES NOW your defendant, Marius Catalui, by counsel, and respectfully moves this Honorable Court for an Order continuing this matter from January 27, 2020, at 2:30 p.m., to a date and time convenient to the Court, the United States, and me, and states the following in support thereof:

(1) Counsel needs additional time to prepare for trial given the volume of discovery in this case which continues to increase.

(2) 18 U.S.C. § 3161(h)(B) provides that in deciding whether to continue a case, the Court should consider whether the failure to grant a continuance would deny the defendant continuity of counsel for deny counsel for the defendant or the Government the reasonable time necessary for the effective preparation, taking into account due diligence. See 18 U.S.C. § 3161(h)(B)(iv). These factors must be weighed by the Court in deciding whether the ends of justice served by the granting of a continuance outweigh the best interests of the defendant and the public in a speedy trial. Zedner v. United States, 126 S.Ct. 1976 (2006); United States v. Keith, 42 F.3d 234 (4<sup>th</sup> Cir. 1994).

(3) Your defendant respectfully submits, for the reasons outlined in paragraphs one (1) and two (2), that a continuance is needed. Furthermore, the interests of the public would not be harmed by the granting of a continuance. Therefore, the ends of justice served by the granting of a continuance outweigh the best interests of the public

and your defendant in a speedy trial in that the failure to grant such a continuance would unreasonably deny your defendant continuity of counsel and would deny counsel for your defendant the reasonable time necessary for effective preparation, taking into account due diligence. See 18 U.S.C. § 3161(h)(8)(b)(iv).

(4) The United States, by and through her attorney Michael C. Adams, Esquire, does not object to a continuance.

(5) Your defendant will execute a waiver of speedy trial.

Accordingly, your defendant respectfully moves this Court for entry of an Order continuing the trial of this case to a date and time convenient to the Court, the United States, and me.

Respectfully submitted,

Marius Catalui

By /s/ Christopher K. Kowalczuk

Christopher K. Kowalczuk, Esquire  
Counsel for the Defendant  
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#### CERTIFICATE OF SERVICE

I, Christopher K. Kowalczuk, Esquire, hereby certify that on this 9<sup>th</sup> day of January, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Christopher K. Kowalczuk